

WITNESS STATEMENT

Crime Number:.....

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5BURN

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Statement of: 55410 Christopher Jones

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Licensing Officer

This statement (consisting of 03 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:  Date 6th January 2022.....Tick if witness evidence is visually recorded ☐ (supply witness details on rear)

I am employed by West Midlands Police as a Licensing Officer currently based as Lloyd House, Colmore Circus Birmingham B4 6NQ working within the Central Licensing Team. This team has responsibility for all licenced premises within the Birmingham City Council area.

I am making this statement in relation to West Midlands Police supporting representation to Trading Standards review applicant of the premises licence 3858, Super Choice News, 939 Walsall Road, Great Barr B42 1TN.

The review was submitted by Trading Standards after they carried out a test purchase operation whereby a 15 year child was able to purchase alcohol from the premises on 16th October 2021.

The child was able to purchase a bottle of WKD without question from the member of staff behind the till; in fact the staff member seemed so uninterested in the purchase she remained on her mobile phone throughout.

Once the 15 year old child volunteer had left the premises Trading Standards Officers approached the member of staff and informed her that they had just witnessed her sell alcohol to a person under the age of 18.

The officers asked the member of staff for the premises refusals book, she stated that she didn't know where it was and that her husband dealt with all the paperwork.

The member of staff then phoned the DPS (who is also the premises licence holder) and Trading Standards officers spoke with him.

Previous to this test purchase fail, Trading Standards had received a complaint that two 15 year old girls had been able to purchase alcohol from this shop.

Officers from Trading Standards then visited the premises on 24th May 2021, after the complaint. On this occasion the DPS and premises licence holder was not present and again a sole member of staff was left in charge of the premises. Officers again spoke with the DPS on the phone and advised him of the complaint, explained the law around underage sales and also reminded him that a refusals register should be kept.

West Midlands Police note that there are only around 5 months between the initial Trading Standards visit in May to the failed test purchase in October.

It is also noted that the advice given by Trading Standards in May has seemingly been totally ignored by the premises licence holder with striking similarities between the compliant received, the advisory visit and the failed test purchase.

The age of the children that were sold alcohol is 15.

The DPS and premises licence holder is not on site.

There is a sole member of staff left in charge of the premises.

The lack of a refusals book or knowledge of such book.

The premises have a number of conditions attached to their licence which include:

All staff at the premises will be trained with regards to the licensing act 2003 and the sale of alcohol.

The premises shall adopt a challenge 21 policy.

These conditions have been imposed onto the premises licence to protect children and the vulnerable.

Obviously the premises have breached the challenge 21 policy as a 15 year old child was able to purchase alcohol without question.

The other condition of staff training regarding the licensing act has either not happened or has been totally ineffective and inadequate. The member of staff could not even find the refusals register or even appeared to understand what it was, stating that her husband dealt with the paperwork.

The effects of alcohol can be devastating on children, with the NHS on line stating that alcohol use during the teenage years is related to a wide range of health and social problems, including;

Drinking alcohol can damage a child's health, even if they're 15 or older. It can affect the normal development of vital organs and functions, including the brain, liver, bones and hormones.

Beginning to drink before age 14 is associated with increased health risks, including alcohol-related injuries, involvement in violence, and suicidal thoughts and attempts.

Drinking at an early age is also associated with risky behaviour, such as violence, having more sexual partners, pregnancy, using drugs, employment problems and drink driving.

Barnardo's state on line that young people who use alcohol are increased risk of:

- Missing school
- Poor health
- Committing crime
- Being sexually exploited

The sale of alcohol to children can only be financially led and profit orientated. The possible consequence of such acts seemingly of no concern to the premises licence holder, as long as there is money going in the till.

The sale of alcohol to children would appear the norm at these premises as the member of staff who sold the bottle of WKD to the child didn't even bother to come off the phone and challenge a 15 year old girl.

This child was a volunteer for Trading Standards, who would have looked her age and would not have been attempting to look old enough to legally purchase alcohol.

West Midlands Police have no confidence in the management of these premises to promote the licensing objectives, especially the protection of children from harm, prevention of crime & disorder and public safety.

The premises had received an advisory visit from Trading Standards only 5 months prior to this underage sale, again for the sale of alcohol to children which indicates that selling alcohol to children is an on-going issue at the premises.

This strengthens West Midlands Police stance of having no confidence in the management of this premises and in their ability or desire to promote the licensing objectives.

The management have put money and profit over their legal, moral and social responsibilities.

West Midlands Police would agree with Trading Standards recommendation that this premises licence should be revoked.

Ches.